

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/853,160  
Applicant : FUNAKOSHI, Satoru  
Filed: : May 11, 2001  
TC/A.U. : 1772  
Examiner : P. Nordmeyer

Confirmation No.: 6913

Docket No. : 7372/71158  
Customer No. : 42798

January 31, 2005



**CONTINGENT PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window  
Randolf Building  
401 Dulany Street  
Alexandria, VA 22314

Dear Sir:

In the event that the intervening change in PTO Rules retroactively precludes reinstatement of the Appeal, then and only then, please treat the concurrently filed Reply Brief as a Response and enter it as a Response, and also please treat the concurrently filed Contingent Amendment as an Amendment and enter it as an Amendment, both in response to the July 30, 2004 paper (Office Action); and grant the herewith presented petition for an extension of time for such time as needed to assure that these papers filed this date are enterable and that this application is pending. For instance, if the due date is extended assuming a three-month response period from the July 30, 2004 paper, then a three-month petition would be needed, in which case the fee therefor \$980.00 can be charged to our deposit account 06-1135 regarding our order number 7372/71158. However, to the extent that a longer petition is deemed necessary, for a sufficient extension of time to render the present submission timely, then please charge Deposit Account No. 06-1135 for the appropriate petition fee against our order number

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875

Application or Docket Number

09/853,160

**CLAIMS AS FILED - PART I**

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	8 minus 20 =	20
INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 minus 3 =	3
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

**SMALL ENTITY**

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

OR

**OTHER THAN SMALL ENTITY**

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**CLAIMS AS AMENDED - PART II**

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	8	Minus 20	=
Independent (37 CFR 1.16(b))	2	Minus 3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

**SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

OR

**OTHER THAN SMALL ENTITY**

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus	=
Independent (37 CFR 1.16(b))		Minus	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

OR

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus	=
Independent (37 CFR 1.16(b))		Minus	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))			

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

OR

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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